

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

)	MDL 2804
)	
IN RE: NATIONAL PRESCRIPTION)	
OPIATE LITIGATION)	Case No. 1:17-md-2804
)	
THIS DOCUMENT RELATES TO:)	Judge Dan Aaron Polster
<i>City of Rochester v. Purdue Pharma, L.P.,</i>)	
No. 19-op-45853 (“Track 12”))	<u>PBM BELLWETHER CASE TRACK 12 THIRD</u>
)	<u>AMENDED CASE MANAGEMENT ORDER</u>
)	

On October 15, 2024, the Court entered the PBM Bellwether Case Track 12 Second Amended Case Management Order, ECF No. 5683. The Parties have now met and conferred and mutually agree to the following revised case management deadlines for Track 12, which extends the time for completion of fact discovery from April 25, 2025, to October 30, 2025, and makes corresponding changes to all subsequent deadlines.

A. Fact Discovery

1. **September 27, 2024** – Deadline for Track 12 Plaintiff to identify initial set of prescriptions they allege caused harm, the methodologies, and the electronic scripts for programs used to identify them.
2. **October 15, 2024** – Deadline for Parties to substantially complete production of documents for custodians agreed to before August 16, 2024.
3. **October 25, 2024** – Deadline for Parties to select “holdback” custodians.
4. **November 15, 2024** – Deadline for Parties to substantially complete production of documents for custodians selected by August 30, 2024.
5. **November 15, 2024** – Deadline for PBM Defendants to produce “notes fields” for CT12 data.
6. **December 6, 2024** – Deadline for Parties to complete production of non-custodial documents and materials.

7. **December 6, 2024** – Deadline for Parties to substantially complete rolling production of documents for remaining custodians selected by October 25, 2024.
8. **December 20, 2024** – Deadline for Track 12 Plaintiff to identify any additional sets of prescriptions they allege caused harm, the methodologies, and the electronic scripts for programs used to identify them.
9. **October 30, 2025** – Close of Fact Discovery.

B. Expert Discovery

1. **December 12, 2025¹** – Track 12 Plaintiff's Deadline to serve expert reports.
2. **January 16, 2026 – February 20, 2026** – Window for PBM Defendants to depose Track 12 Plaintiff's experts.
3. **March 20, 2026²** – PBM Defendants' Deadline to serve expert reports.
4. **April 17, 2026 – May 22, 2026** – Window for Track 12 Plaintiff to depose PBM Defendants' experts.
5. If any expert reports rebutting responsive reports are served, they shall be served **21 days** after the deposition of the responsive expert, any materials relied on by the rebutting expert shall be produced within **7 days** of serving the rebuttal reports, and the Parties shall meet and confer regarding the timing of rebuttal expert depositions and an extension of the deadlines to file dispositive and *Daubert* motions.

C. Dispositive and *Daubert* Motions

1. **March 13, 2026** – Deadline to meet and confer on page limits for dispositive and *Daubert* motions.
2. **June 12, 2026** – Deadline to file dispositive and *Daubert* motions.
3. **August 21, 2026** – Deadline to file Responses to dispositive and *Daubert* motions.
4. **September 18, 2026** – Deadline for Replies in support of such dispositive and *Daubert* motions.

¹ Track 12 Plaintiff shall serve expert reports on all issues except abatement remedies and, for each expert, provide two proposed depositions dates.

² PBM Defendants shall serve expert reports on all issues except abatement remedies and, for each expert, provide two proposed depositions dates.

5. With respect to *Daubert* and dispositive motions, the Parties will meet and confer on page limits and mechanisms to further avoid unnecessarily lengthy or duplicative briefing while preserving the record based on motions filed in separate tracks of the MDL.

IT IS SO ORDERED.

Date: 4/2/2025

s/Dan Aaron Polster
DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE